

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: :  
SYNCAPSE CORP., : Chapter 15  
Debtor in a Foreign : Case No.: 13-12410 (SMB)  
Proceeding, :  
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**TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE WHY  
PROVISIONAL RELIEF SHOULD NOT BE GRANTED PENDING RECOGNITION OF  
A FOREIGN MAIN PROCEEDING**

Upon the application (the “Application”) of MNP LTD., as the court appointed receiver (the “Petitioner”) of SYNCAPSE CORP. (the “Company”), the foreign representative in the proceedings under the Canadian *Bankruptcy and Insolvency Act* (the “Canadian Proceeding”), by its counsel, Perkins Coie LLP, pursuant to sections 105(a) and 1519 of title 11 of the United States Code (the “Bankruptcy Code”), for *ex parte* and provisional relief, and scheduling a hearing (the “Hearing”), the Declaration of Alan Shiner in support dated July 25, 2013, together with exhibits, and based on the foregoing, upon a showing of good cause, the Court **HEREBY ORDERS**, that:

1. All parties in interest are ENJOINED from interfering with the Company’s access to its data on all servers located in the United States, or data that is transmitted within the United States.
2. All parties in interest are ENJOINED from taking any action against the Company’s bank accounts located in the United States, including but not limited to Silicon Valley Bank, 3003 Tasman Drive, Santa Clara, CA 95054, accounts 330089221 and 330089226, unless otherwise expressly set forth in the Canadian Proceeding.

3. All parties in interest are ENJOINED from terminating executory contracts entered ~~with the Company~~ **[SMB 7/25/13]** into before July 24, 2013 (the "Petition Date"); however, the Company is required to maintain the executory contracts on a post-petition basis.

4. ~~In the event any party in interest has already terminated an executory contract entered into before the Petition Date, or has taken an action against a bank account owned by the Company, or has interfered with the data on any server located in the United States or data that is transmitted within the United States (collectively, the "Enjoined Actions"), the party must immediately reverse such Enjoined Actions where reasonable within 24 hours.~~ **[SMB 7/25/13]**

5. ~~All parties in interest, including any and all utility companies, are ENJOINED from terminating any services related to the Company's tenancy at its New York Office located at 7 West 22nd Street, 7th Floor, New York, New York.~~ **[SMB 7/25/13]**

6. All parties in interest may come before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge for the Southern District of New York, for a hearing at 10:00 a.m. on July 31, 2013, at the United States Bankruptcy Court, Alexander Hamilton Custom House, Room 723, One Bowling Green, New York, New York 10004, or as soon thereafter as counsel may be heard, to show why a preliminary injunction should not be granted as requested in the original moving papers.

7. Objections, if any, submitted for the purpose of opposing the Petitioner's request for a preliminary injunction on the terms described above must be made in writing describing the basis therefore and shall be filed with the Court electronically in accordance with General Order M-242 by registered users of the Court's Portable Document Format (PDF), Word Perfect or any other Windows-based word processing format, with hard copy to the Chambers of the Honorable Stuart Bernstein, and served upon Perkins Coie, LLP 30 Rockefeller Plaza, New York, New

York 10112(Attention: Schuyler G. Carroll, Esq.), United States counsel for the Petitioner, so as to be received on or before July 30, 2013 at 4:00 p.m. (New York time); ~~with any reply to be made by oral argument at the Hearing.~~**[SMB 7/25/13]**

8. Petitioner is to serve this Order on all known interested parties, **including all United States creditors and parties to executory contracts with the company**, by email or facsimile ~~by 10:00 a.m. on July 26, 2013 to the extent available.~~**[SMB 7/25/13]**

9. Petitioner is not required to post a bond at this time.

Dated: New York, New York  
July 25<sup>th</sup>, 2013

/s/ STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

Issued at 5:35 p.m.